

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JENNIFER L. PALMER,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Case No. 1:17-cv-577

HON. JANET T. NEFF

_____/

OPINION AND ORDER

Plaintiff brings this action under 42 U.S.C. § 405(g), seeking judicial review of a final decision of the Commissioner of the Social Security Administration to deny her claim for disability insurance benefits. The matter was referred to the Magistrate Judge, who issued a Report and Recommendation (R&R), recommending that this Court affirm the decision of the Administrative Law Judge (ALJ) rendered on behalf of the Commissioner. The matter is presently before the Court on Plaintiff's objections to the Report and Recommendation. Defendant filed a response to the objections. In accordance with 28 U.S.C. § 636(b)(1) and FED. R. CIV. P. 72(b)(3), Plaintiff is entitled to de novo consideration of the portion of the Report and Recommendation to which she objects. The Court denies the objections and issues this Opinion and Order.

A party filing objections to a report and recommendation is required to "specifically identify the portions of the proposed findings, recommendations or report to which objections are made and the basis for such objections." W.D. Mich. LCivR 72.3(b). Here, as Defendant points out in response (ECF No. 16 at PageID.739), Plaintiff's objections merely re-raise the arguments she previously raised before the Magistrate Judge in her initial and reply briefs (ECF Nos. 11 &

13). Plaintiff challenges “[t]he ALJ’s failure to give proper weight to Dr. Potema’s opinions” and “[t]he ALJ’s failure to address the factors in 20 C.F.R. 404.1527(c)” (ECF No. 15 at PageID.730, 736).

The Magistrate Judge set forth the proper standards and thoroughly considered both of Plaintiff’s arguments in light of the record and governing law. The “purpose [of filing objections] is not served if the district court is required to conduct a complete, de novo review of all of the pleadings that were considered by the magistrate judge.” *Freeman v. Sec’y of Health & Human Servs.*, 972 F.2d 347, at *2 (6th Cir. 1992). Rather, “[t]he functions of the district court are effectively duplicated as both the magistrate and the district court perform identical tasks.” *Howard v. Sec’y of Health & Human Servs.*, 932 F.2d 505, 509 (6th Cir. 1991). Plaintiff’s objections reiterate her disagreement with the ALJ’s decision, but fail to identify any factual or legal error in the Magistrate Judge’s Report and Recommendation. Accordingly, the Court will deny the objections, adopt the Magistrate Judge’s Report and Recommendation as the Opinion of this Court, and enter a Judgment consistent with this Opinion and Order. *See* FED. R. CIV. P. 58.

THEREFORE, IT IS ORDERED that the Objections (ECF No. 15) are DENIED, the Report and Recommendation of the Magistrate Judge (ECF No. 14) is APPROVED and ADOPTED as the Opinion of the Court, and the decision of the Commissioner of Social Security is AFFIRMED.

Dated: September 11, 2018

/s/ Janet T. Neff

JANET T. NEFF
United States District Judge